

In The Matter Of:

Otto Bishop

vs.

The Goodyear Tire & Rubber Co., et al.

William J. Woehrle

September 5, 2014

MERRILL CORPORATION

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EXHIBIT

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tabb's

<p style="text-align: right;">174</p> <p>1 Q Okay. And you can't tell me with any relative 2 certainty how fast the motorcycle was traveling 3 over the 600 miles they traveled that day; is 4 that correct? 5 A There's no facts in evidence or Answers to 6 Interrogatories that have been submitted that 7 would depart from normal expectations of 8 highway speeds ranging from 45 to 60 miles an 9 hour, for example, that was stated in the 10 Answers to the Interrogatories. 11 Q Okay. So you don't have any information as to 12 how fast the motorcycle was traveling during 13 its last trip? 14 A The only information I have is what was stated 15 in the response to the Interrogatories, which, 16 as I said, were ranges of 45 to 60 miles an 17 hour. 18 Q So is it your position that a tire inflated to 19 20 PSI with a load that's 120 percent of the 20 maximum load, traveling 70 miles an hour over 21 600 miles cannot reach a temperature that this 22 tire reached? 23 A Oh, I know it can't. Without -- no rate of 24 error. It will not reach that temperature 25 necessary to melt cords. I know that.</p>	<p style="text-align: right;">176</p> <p>1 A Well, probably the easy way to respond to that 2 is to look at the OSIs in this report, other 3 similar cases. And there's probably more in 4 addition to that but we've got one, two, three, 5 four, five, six, seven, eight, nine, ten, 11, 6 12, 13, 14 listed in this report and there's 7 probably -- I know there's a couple of more 8 that aren't listed. And as I state in each one 9 of those, I'm stating an opinion. 10 Q So what is that, Exhibit 80? 11 A Is that the number? 12 Q Are you looking at your testimony experience? 13 A No. I'm looking at the report. What Exhibit 14 number is my report? What number is that? 15 Q So in each of these -- in Exhibit 77, starting 16 on Page 12, each of these you have the same 17 defect theory as in our current case; is that 18 correct? 19 A I need to find Exhibit 77. I'm not sure. 20 Q That's your report. Yeah, I'm sorry, yeah, 21 Exhibit 77 is the report. 22 A Yes. Yes. As I state in each one of those 14 23 that I counted up. 24 Q Okay. And not all of these include -- not all 25 of the cases that you cite in Exhibit 77</p>
<p style="text-align: right;">175</p> <p>1 Q And is that based on your dynamic temperature 2 testing? 3 A It's based on the temperature testing that was 4 already captured in this report. It was based 5 on the temperature testing captured in the 6 report for the Clutchey case. And more 7 importantly, it's based on my extensive 8 experience over, like, 25 years I spent with 9 Uniroyal. 10 Q How much time of your work do you devote to 11 litigation? 12 A Oh, probably 150 percent based on what my wife 13 would say. This is full-time job. 14 I teach police officers in the 15 State of Michigan, also. And so in terms of my 16 percent of work activity for which I get paid, 17 5 percent or so, not even that amount, but a 18 small amount comes by form of payments from 19 Michigan State University in my role of 20 teaching police officers in the State of 21 Michigan on tires involved in accidents. The 22 remainder is litigation. 23 Q Okay. And in how many cases have you advanced 24 similar opinions as what you've set forth in 25 this case?</p>	<p style="text-align: right;">177</p> <p>1 involve MU85; is that true? 2 A Not all of them involve an MU85, that's 3 correct. 4 Q Okay. Can you go through on Exhibit Number 80, 5 which is your testimony experience, and 6 highlight which of these cases you advance a 7 similar opinion as you have in this case? 8 A If by similar opinion you mean a run soft 9 failure in a motorcycle tire that's explained 10 by defects in the bead, I can highlight that, 11 yes. 12 Q Yes, please. 13 MR. EDWARDS: Patrick, can I ask 14 you how much longer you think you've got? 15 MR. PUGH: Yeah. No, I have no 16 more than a minute or two. I'm pretty much 17 done here. 18 MR. EDWARDS: Okay. 19 THE WITNESS: Okay. I've done 20 it. 21 BY MR. PUGH: 22 Q Okay. I just have one -- a couple of quick 23 questions. 24 In Exhibit 80 on the first page, 25 it looks like you -- I'll start with the DeLara</p>

45 (Pages 174 to 177)